

IN RE: PETITION FOR ZONING VARIANCE
S/S Dunmanway, 297' W of the
c/l of Sollers Point Road
(7417 Dunmanway)
12th Election District
7th Councilmanic District
David Max Conrad, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-48-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 31 feet in lieu of the required 50 feet for a proposed one-story rear porch addition as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protests.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of September, 1988 that the Petition for Zoning

Variance to permit a rear yard setback of 31 feet in lieu of the required 50 feet for a proposed one-story rear porch addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

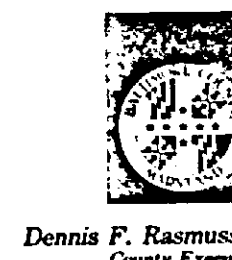
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

JRH:bjs

ORDER RECEIVED FOR FILING
DATE 9/10/88
BY *J. Robert Haines*

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

September 6, 1988



Mr. & Mrs. David M. Conrad
13 Horse Chestnut Court
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE
S/S Dunmanway, 297' W of the c/l of Sollers Point Road
(7417 Dunmanway)
12th Election District - 7th Councilmanic District
Case No. 89-48-A

Dear Mr. & Mrs. Conrad:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

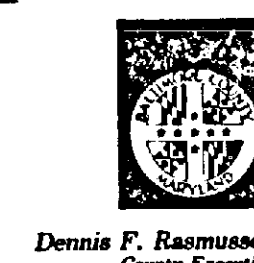
JRH:bjs

cc: People's Counsel

File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

Date: 8/10/88



Mr. & Mrs. David Max Conrad
13 Horse Chestnut Court
Baltimore, Maryland 21221

Re: Petition for Zoning Variance
Case Number: 89-48-A
S/S Dunman Way, 297' W of c/l Sollers Point Road
(7417 Dunman Way)
12th Election District - 7th Councilmanic
District
Petitioner(s): David Max Conrad, et ux
HEARING SCHEDULED: TUESDAY, AUGUST 30, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Conrad:

Please be advised that \$90.75 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
CELLANEOUS CASH RECEIPT

No. 058923

8/30/88 ACCOUNT R-01-615-000

AMOUNT \$ 90.75

PAID BY David Max Conrad

Posting & Advertising

8015*****38751-1

VALIDATION OR SIGNATURE OF CASHIER

FOR FEE AGENCY YELLOW-CHECKER

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Zoning Variance
Case number 89-48-A
S/S Dunman Way, 297' W of c/l Sollers Point Rd.
(7417 Dunman Way)
12th Election District
7th Councilmanic District
Petitioner(s): David Max Conrad, et ux
HEARING SCHEDULED: TUESDAY, AUGUST 30, 1988 at 9:00 a.m.
Variance to permit a rear yard setback of 31 feet in lieu of the required 50 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
8013 Aug. 6

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug 4, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 4, 1988.

THE JEFFERSONIAN,

S. Zebe Orlem
Publisher

33.75

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 12TH Date of Posting 8/10/88

Posted for: Variance

Petitioner: David Max Conrad, et ux

Location of property: S/S Dunman Way, 297' W of c/l Sollers Point Rd.

7417 Dunman Way

Location of Sign: Facing Dunman Way, across 29' E. of Dunman Way

On property of J. Robert Haines

Remarks: N/A

Posted by: J. Robert Haines Date of return: 8/10/88

Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Zoning Variance
Case Number: 89-48-A
S/S Dunmanway, 297' W of c/l Sollers Point Road
(7417 Dunmanway)
12th Election District - 7th Councilmanic District
Petitioner(s): David Max Conrad, et ux
HEARING SCHEDULED: TUESDAY, AUGUST 30, 1988 at 9:00 a.m.
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J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

August 5, 1988

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hearings - P.O. #02693 - Reg. #M18833 - 84 lines @ \$42.00. was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 5th day of August 1988; that is to say, the same was inserted in the issues of August 4, 1988

Kimbel Publication, Inc.
per Publisher.

By *K.C. Ode*

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-48-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 to permit a rear yard setback of 31' in lieu of the required 50'.

1) REAR PORCH BAKEN - NEEDED TO BE REBUILT
2) PORCH 31' FROM ALLEY - 50' IS REQUIRED
ONLY 41' ENCL FROM HOUSE TO ALLEY

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Address
City and State
Attorney's Telephone No.:
Address
Phone No.

Legal Owner(s):
(Type or Print Name)
Signature
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of JUNE 1988 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106 County Office Building in Towson, Baltimore County, on the 30th day of AUG, 1988 at 9 o'clock A.M.

ESTIMATE OF COST OF HEARING
ALL POSTED - NEXT (over)
OTHER
REVIEWED BY: JMK Date: 5/31/88

Beginning on the south side of Durman Way 19 feet wide, at the distance of 297 feet west of the centerline of Sollers Point Road. Being Lot 9, Plat 3D, in the subdivision of Dundalk Book No. 13, Folio 76. Also known as 7417 Durman Way, containing .0436 acres in the 12th Election District.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

JUL 11 1988

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

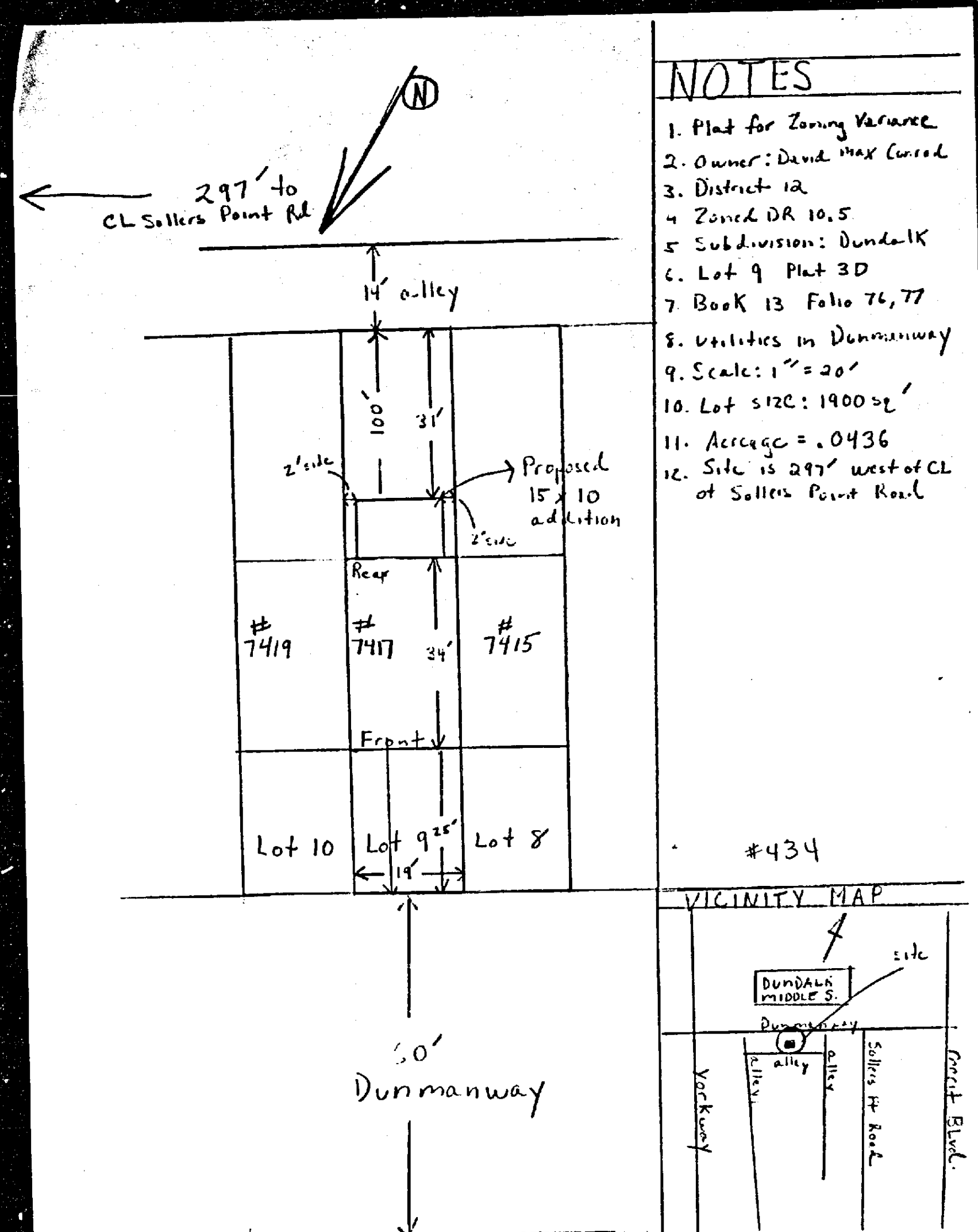
Petition for Zoning Variance
CASE NUMBER: 89-48-A
5/5 Dunman Way, 297' W of c/l Sollers Point Road
(7417 Dunman Way)
12th Election District - 7th Councilmanic
Petitioner(s): David Max Conrad, et ux
HEARING SCHEDULED: TUESDAY, AUGUST 30, 1988 at 9:00

Variance to permit a rear yard setback of 31 feet in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: David Max Conrad, et ux
File

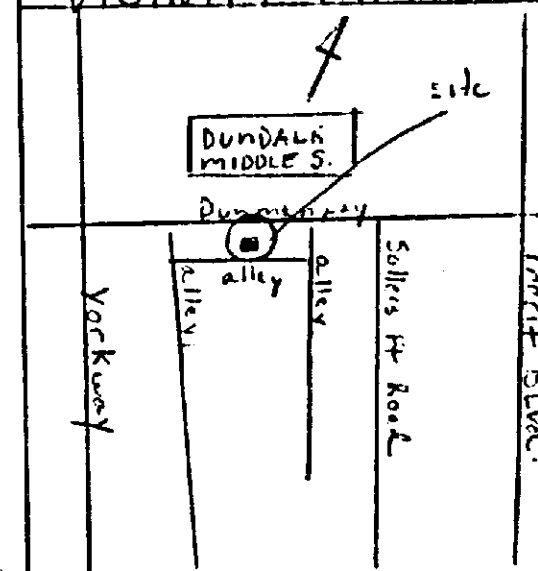


NOTES

1. Plat for Zoning Variance.
2. Owner: David Max Conrad
3. District: 12
4. Zoned: DR 10, S
5. Subdivision: Dundalk
6. Lot 9 Plat 3D
7. Book 13 Folio 76, 77
8. Utilities in Dunmanway
9. Scale: 1" = 20'
10. Lot size: 1400 sq'
11. Acreage = .0436
12. Site is 297' west of CL of Sollers Point Road

#434

VICINITY MAP



PLOT PLAN

Application No.

OWNER: DAVID M. CONRAD

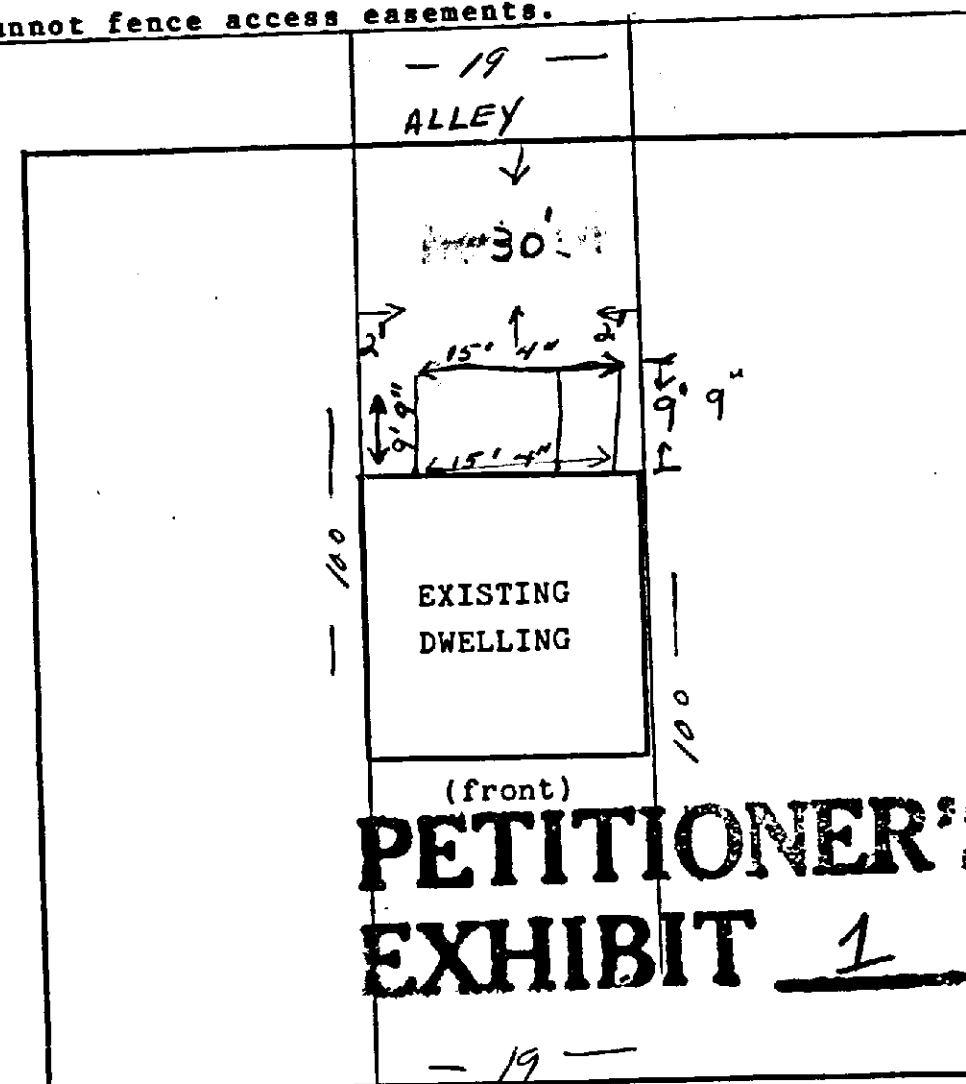
ADDRESS: 7417 DUNMANWAY

PLEASE SHOW BELOW:

- property line dimensions and easements.
- existing buildings.
- existing well/septic. (show distance to nearest structure)
- road names and location of alleys.
- if your property is in a tidal or riverine flood area, indicate elevation of lowest floor of proposed work.
- the proposed work and the setback distances to the proposed work.

Front yard setback _____ Left side setback _____
Rear yard setback _____ Right side setback _____

- NOTE: 1. If a fence is to be closer than 2 feet to any existing fence or wall, adequate access must be provided for maintenance.
2. Cannot fence access easements.



ROAD NAME: DUNMANWAY

10/82

241-113-317

89-48-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
15th day of June, 1988.

J. Robert Haines
Zoning Commissioner

Petitioner: David M. Conrad, et ux
Petitioner's Attorney

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204 2586
494-4500

Paul H. Reincke
Chief

June 14, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Dennis F. Rasmussen
County Executive

Re: Property Owner: Conrad, et ux

Location: S/S of Dunmanway, 297' W. of c/l Sollers Point Road
Item No.: 434 Zoning Agenda: Meeting of 6/14/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: John F. O'Neill
Noted and Approved: _____
Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 18, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. David M. Conrad
13 Horsechestnut Court
Baltimore, Maryland 21221

RE: Item No. 434 - Case No. 89-48-A
Petitioner: David M. Conrad, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Conrad:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines Date: July 11, 1988
Zoning Commissioner

FROM: P. David Fields, Director
Office of Planning and Zoning

SUBJECT: Zoning Petitions #89-35-A, 89-37-A, 39-38-A, 89-39-A, 89-40-A, 89-42-A, 89-43-A, 89-44-A, 89-47-A, 89-48-A, 89-49-A, 89-50-A, 89-54-A

There are no comprehensive planning factors requiring comment of the subject petitions.

P. David Fields
David Fields, Director
Office of Planning and Zoning

PDF/jat
cc: Shirley Hess, People's Counsel
J. G. Howell
Zoning File

RECEIVED
JUL 12 1988
ZONING OFFICE

cc: Mr. & Mrs. David Max Conrad

CPS-008